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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,904	10/18/2001	Lane Thomas Holloway	AUS920010956US1	7305

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EXAMINER

AMSBURY, WAYNE P

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,904	HOLLOWAY ET AL.	
	Examiner	Art Unit	
	Wayne Amsbury	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-13,15-23 and 25-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-13,15-23 and 25-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

CLAIMS 1-7, 9-13, 15-23 AND 25-35 ARE PENDING

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. **Claim 5** is objected to because of the following informalities:

The phrase: "...used to change in emphasis" appears to be improper grammar.

Appropriate correction is required. This is maintained from the previous action.

3. **Applicant's arguments filed 12/22/04 have been fully considered but they are not persuasive.**

The arguments and amendments of the response are predicated on the contention exemplified by: *The uscr (sic) in Belfiore is incapable of allowing a user to create a search in which retrieved web pages contain highlighted search terms.*

[Response, page 11, bottom.] While it is considered that the passages cited in the previous action adequately preclude this assumption, attention is brought to FIG 11A-11B and the corresponding text, including the example of "*Find Windows*" [COL 6 line 66 to COL 7 line 5]. This is a user-entered search comprising search terms, a phrase, and a sentence, and it results in returned Web pages with highlighted search terms. (This example was cited in rejections of the currently deleted claims 8, 14 and 24.)

The rejections of the previous action are hereby maintained and included below in the interest of compact prosecution.

4. Claims 1-4, 6, 15, 17-20, 22, 31 and 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Belfiore et al (Belfiore), US 6,009,459, 28 December 28, 1999.

As to **claims 1-4**, Belfiore teaches a method for highlighting occurrences of searched text in a web page [COL 2 lines 29-34]. As noted at COL 1 lines 12-27, this involves running a web browser to send a search query that may include search terms, phrases, and sentences, and the query identifies a web site and returns a copy of a web page in HTML. As noted at COL 1 lines 64-65, the browser typically renders the display of the web page. See FIG 11A-11B and COL 6 line 66 to COL 7 line 5.

As to **claim 6**, FIG 5 depicts a highlight displayed as an underline and as bold type.

The elements of **claims 15, 17-20, 22, 31 and 33-35** are rejected in the analysis above and these claims are rejected on that basis.

5. Claims 5, 7, 9-13, 16, 21, 23, 25-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore et al (Belfiore), US 6,009,459, 28 December 28, 1999 in light of Stone et al (Stone), US 6,504,554, 7 January 2003.

Belfiore does not explicitly address the details of determining textual formats in web pages with tag pairs. The claims listed above involve the use of tag pairs for this purpose.

Official Notice is taken that within HTML documents, formatting such as font, bold, size and the like are expressed with the use of tag pairs.

It would have been obvious to one of ordinary skill in the art at the time of the invention to highlight the search terms in Belfiore using tag pairs because this method was available as a feature of HTML.

Stone provides evidence of the formatting of web pages with tag pairs in the context of supporting the reuse of web pages [COL 1 lines 27-38]. In particular, the general structure of web page formatting is noted at COL 2 lines 1-11 and beginning at COL 5 line 66, and a specific example of the use of pairs of tags for this purpose is given at COL 6 line 12 and elsewhere.

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is 571-272-4015. The examiner can normally be reached on M-F 6-18:30 FIRST WEEK.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPA


WAYNE AMSBURY
PRIMARY PATENT EXAMINER